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IN THE DISTRICT COURT, FIRST JUDICIAL DISTRICT  
COUNTY OF LARAMIE, STATE OF WYOMING

**FILED**

JAN 19 2021

DIANE SANCHEZ  
CLERK OF THE DISTRICT COURT

VIOLET NEIGHBORS,  
an individual,

Plaintiff,

vs.

Case No. 194-216

TARGET CORPORATION,  
a Minnesota Corporation,

Defendant.

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**COMPLAINT**

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**COME NOW**, the Plaintiff, Violet Neighbors, by and through her attorneys, Jason Johnson and Justin Kallal of DAVIS, JOHNSON & KALLAL, LLC, and for her COMPLAINT against Defendant Target Corporation, states and alleges the following:

**JURISDICTION AND VENUE**

1. Jurisdiction in this Court is proper pursuant to Article 5, Section 10, of the Wyoming Constitution, which vests original jurisdiction in all cases and all proceedings in the District Court where jurisdiction is not by law vested exclusively in some other court.

2. Venue is proper in Laramie County because that is where the cause of action, or some part thereof, arose. W.S. § 1-5-109.

**GENERAL BACKGROUND**

3. Plaintiff, Violet Neighbors (“Neighbors”), is and was at all times relevant to this COMPLAINT, a resident of Laramie County, Wyoming.

4. Defendant, Target Corporation (“Target”), is and was at all times relevant to this COMPLAINT, a Minnesota Corporation operating a retail store in Cheyenne, Wyoming, located at 1708 Dell Range Blvd.

5. Target is the owner of real property located at 1708 Dell Range Blvd. in Cheyenne, Wyoming.

6. Target’s customers access the retail store from the large parking lot located south of the building which is also owned by Target.

7. On November 22, 2019, Ms. Neighbors was lawfully on Target’s property shopping.

8. Target’s hours of operation on November 22, 2019, were 8 a.m. to 10 p.m. On this date, the sun set at approximately 4:35 p.m. and it was dark in Cheyenne by 5:05 p.m.

9. On November 22, 2019, the exterior lights on the southeast corner of Target’s building were not functioning and there was a pothole just off the sidewalk in Target’s parking lot. The pothole was located in a high traffic area for customers entering and exiting its store.

10. Ms. Neighbors left the store at approximately 6:45 p.m. It was pitch black out near the south corner of the building because of a non-functioning light.

11. Ms. Neighbors began walking to her car and stepped in the pothole, on Target’s property, causing her to fall. She suffered catastrophic injuries that will forever affect her life.

12. The lack of lighting made the pothole impossible for Ms. Neighbors to see and made the pothole an unreasonable risk to Target’s customers, including Ms. Neighbors.

13. Target is and was responsible on November 22, 2019, for providing adequate lighting of the parking lot to ensure customers could safely walk to and from the store.

14. Target is and was responsible, on November 22, 2019, for ensuring its parking lot and exterior walkways were reasonably free from potholes and other trip hazards, especially in high traffic areas.

15. Defendant Target knew or should have known that the lack of proper lighting and the presence of potholes and other trip hazards would present an unreasonable risk of harm to its customers entering and leaving the store.

16. Defendant Target, failed to ensure there was adequate lighting and to remove and/or repair trip hazards on November 22, 2019.

17. Defendant Target violated the following duties to Ms. Neighbors:

- a. Failing to ensure its parking lot had adequate lighting;
- b. Failing to ensure its parking lot was reasonably free from trip hazards; and
- c. Failing to ensure its parking lot was reasonably safe to walk through at night.

#### **DAMAGES**

18. As a direct and proximate result of the negligent acts, omissions and violations of duties owed to the Plaintiff by Target, Plaintiff, Violet Neighbors, was seriously injured and has suffered damages, which are above the jurisdictional minimum of this Court, and which include:

- a. Pain and suffering in the past, present, and future;
- b. Loss of enjoyment of life in the past, present, and future; and
- c. Medical expenses in the past, present, and future.


**PRAYER FOR RELIEF**

**WHEREFORE**, the Plaintiff prays the judgment, order and decree of this Court be:

1. That judgment be entered in favor of the Plaintiff and against the Defendant.
2. That the Plaintiff be awarded all damages that are fair and just, in an amount supported by the allegations in this COMPLAINT and the evidence adduced at trial.
3. That the Plaintiff be awarded costs and reasonable attorney's fees and for such other and further relief, as the Court deems equitable and proper.

RESPECTFULLY SUBMITTED this 19<sup>th</sup> day of January, 2021.

**VIOLET NEIGHBORS**  
*Plaintiff*



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